

Union Calendar No. 286

113TH CONGRESS
2^D SESSION

H. R. 4005

[Report No. 113–384]

To authorize appropriations for the Coast Guard for fiscal years 2015 and 2016, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2014

Mr. HUNTER (for himself, Mr. SHUSTER, and Mr. RAHALL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MARCH 25, 2014

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 6, 2014]

A BILL

To authorize appropriations for the Coast Guard for fiscal
years 2015 and 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Howard Coble Coast Guard and Maritime Transportation*
 6 *Act of 2014”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 8 *this Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD

Sec. 201. Commissioned officers.

Sec. 202. Prevention and response workforces.

Sec. 203. Centers of expertise.

Sec. 204. Agreements.

Sec. 205. Coast Guard housing.

Sec. 206. Determinations.

Sec. 207. Annual Board of Visitors.

Sec. 208. Repeal of limitation on medals of honor.

Sec. 209. Mission need statement.

Sec. 210. Transmission of annual Coast Guard authorization request.

Sec. 211. Inventory of real property.

Sec. 212. Active duty for emergency augmentation of regular forces.

Sec. 213. Acquisition workforce expedited hiring authority.

Sec. 214. Icebreakers.

Sec. 215. Multiyear procurement authority for Offshore Patrol Cutters.

Sec. 216. Maintaining Medium Endurance Cutter mission capability.

Sec. 217. Coast Guard administrative savings.

Sec. 218. Technical corrections to title 14.

Sec. 219. Flag officers.

Sec. 220. Aviation capability in the Great Lakes region.

Sec. 221. e-LORAN.

TITLE III—SHIPPING AND NAVIGATION

Sec. 301. Treatment of fishing permits.

Sec. 302. International ice patrol reform.

Sec. 303. Repeal.

Sec. 304. Donation of historical property.

Sec. 305. Small shipyards.

Sec. 306. Drug testing reporting.

Sec. 307. Recourse for noncitizens.
Sec. 308. Penalty wages.
Sec. 309. Crediting time in the sea services.
Sec. 310. Treatment of abandoned seafarers.
Sec. 311. Clarification of high-risk waters.
Sec. 312. Uninspected passenger vessels in the Virgin Islands.
Sec. 313. Offshore supply vessel third-party inspection.
Sec. 314. Survival craft.
Sec. 315. Technical correction to title 46.
Sec. 316. Enforcement.
Sec. 317. Severe marine debris events.
Sec. 318. Minimum tonnage.
Sec. 319. Merchant Marine Personnel Advisory Committee.
Sec. 320. Report on effect of LNG export carriage requirements on job creation in the United States maritime industry.

TITLE IV—FEDERAL MARITIME COMMISSION

Sec. 401. Authorization of appropriations.
Sec. 402. Terms of Commissioners.

TITLE V—COMMERCIAL VESSEL DISCHARGE REFORM

Sec. 501. Short title.
Sec. 502. Discharges incidental to the normal operation of certain vessels.

TITLE VI—MISCELLANEOUS

Sec. 601. Distant water tuna fleet.
Sec. 602. Vessel determination.
Sec. 603. Lease authority.
Sec. 604. National maritime strategy.
Sec. 605. IMO Polar Code negotiations.
Sec. 606. Valley View Ferry.
Sec. 607. Competition by United States flag vessels.
Sec. 608. Survey.
Sec. 609. Fishing safety grant programs.

1 *TITLE I—AUTHORIZATION*

2 *SEC. 101. AUTHORIZATION OF APPROPRIATIONS.*

3 *Funds are authorized to be appropriated for each of*
4 *fiscal years 2015 and 2016 for necessary expenses of the*
5 *Coast Guard as follows:*

6 *(1) For the operation and maintenance of the*
7 *Coast Guard—*

8 *(A) \$6,981,036,000 for fiscal year 2015; and*
9 *(B) \$6,981,036,000 for fiscal year 2016.*

1 (2) *For the acquisition, construction, rebuilding,*
2 *and improvement of aids to navigation, shore and off-*
3 *shore facilities, vessels, and aircraft, including equip-*
4 *ment related thereto—*

5 (A) \$1,546,448,000 for fiscal year 2015; and

6 (B) \$1,546,448,000 for fiscal year 2016;

7 *to remain available until expended.*

8 (3) *For the Coast Guard Reserve program, in-*
9 *cluding personnel and training costs, equipment, and*
10 *services—*

11 (A) \$140,016,000 for fiscal year 2015; and

12 (B) \$140,016,000 for fiscal year 2016.

13 (4) *For environmental compliance and restora-*
14 *tion of Coast Guard vessels, aircraft, and facilities*
15 *(other than parts and equipment associated with op-*
16 *eration and maintenance)—*

17 (A) \$16,701,000 for fiscal year 2015; and

18 (B) \$16,701,000 for fiscal year 2016;

19 *to remain available until expended.*

20 (5) *To the Commandant of the Coast Guard for*
21 *research, development, test, and evaluation of tech-*
22 *nologies, materials, and human factors directly re-*
23 *lated to improving the performance of the Coast*
24 *Guard's mission with respect to search and rescue,*
25 *aids to navigation, marine safety, marine environ-*

1 *mental protection, enforcement of laws and treaties,*
 2 *ice operations, oceanographic research, and defense*
 3 *readiness—*

4 (A) \$19,890,000 for fiscal year 2015; and

5 (B) \$19,890,000 for fiscal year 2016.

6 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
 7 **AND TRAINING.**

8 (a) *ACTIVE DUTY STRENGTH.*—*The Coast Guard is*
 9 *authorized an end-of-year strength for active duty personnel*
 10 *of 43,000 for each of fiscal years 2015 and 2016.*

11 (b) *MILITARY TRAINING STUDENT LOADS.*—*The Coast*
 12 *Guard is authorized average military training student*
 13 *loads for each of fiscal years 2015 and 2016 as follows:*

14 (1) *For recruit and special training, 2,500 stu-*
 15 *dent years.*

16 (2) *For flight training, 165 student years.*

17 (3) *For professional training in military and ci-*
 18 *vilian institutions, 350 student years.*

19 (4) *For officer acquisition, 1,200 student years.*

20 **TITLE II—COAST GUARD**

21 **SEC. 201. COMMISSIONED OFFICERS.**

22 *Section 42(a) of title 14, United States Code, is*
 23 *amended by striking “7,200” and inserting “6,700”.*

1 **SEC. 202. PREVENTION AND RESPONSE WORKFORCES.**

2 *Section 57 of title 14, United States Code, is amend-*
3 *ed—*

4 *(1) in subsection (b)—*

5 *(A) in paragraph (2) by striking “or” at*
6 *the end;*

7 *(B) in paragraph (3) by striking the period*
8 *at the end and inserting a semicolon; and*

9 *(C) by adding at the end the following:*

10 *“(4) waterways operations manager shall have*
11 *knowledge, skill, and practical experience with respect*
12 *to marine transportation system management; or*

13 *“(5) port and facility safety and security spe-*
14 *cialist shall have knowledge, skill, and practical expe-*
15 *rience with respect to the safety, security, and envi-*
16 *ronmental protection responsibilities associated with*
17 *maritime ports and facilities.”;*

18 *(2) in subsection (c) by striking “or marine safe-*
19 *ty engineer” and inserting “marine safety engineer,*
20 *waterways operations manager, or port and facility*
21 *safety and security specialist”;* and

22 *(3) in subsection (f)(2) by striking “investigator*
23 *or marine safety engineer.” and inserting “investi-*
24 *gator, marine safety engineer, waterways operations*
25 *manager, or port and facility safety and security spe-*
26 *cialist.”.*

1 **SEC. 203. CENTERS OF EXPERTISE.**

2 *Section 58(b) of title 14, United States Code, is amend-*
 3 *ed to read as follows:*

4 “(b) *MISSIONS.*—*Any center established under sub-*
 5 *section (a) may—*

6 “(1) *promote, facilitate, and conduct—*

7 “(A) *education;*

8 “(B) *training; and*

9 “(C) *activities authorized under section*
 10 *93(a)(4); and*

11 “(2) *be a repository of information on oper-*
 12 *ations, practices, and resources related to the mission*
 13 *for which the center was established.”.*

14 **SEC. 204. AGREEMENTS.**

15 (a) *IN GENERAL.*—*Section 93(a)(4) of title 14, United*
 16 *States Code, is amended—*

17 (1) *by striking “, investigate” and inserting*
 18 *“and investigate”; and*

19 (2) *by striking “, and cooperate and coordinate*
 20 *such activities with other Government agencies and*
 21 *with private agencies”.*

22 (b) *AUTHORITY.*—*Chapter 5 of title 14, United States*
 23 *Code, is amended by adding at the end the following:*

24 **“§ 102. Agreements**

25 “(a) *IN GENERAL.*—*In carrying out section 93(a)(4),*
 26 *the Commandant may—*

1 “(1) enter into cooperative agreements, contracts,
 2 and other agreements with Federal entities and other
 3 public or private entities, including academic entities;
 4 and

5 “(2) impose on and collect from an entity subject
 6 to an agreement or contract under paragraph (1) a
 7 fee to assist with expenses incurred in carrying out
 8 such section.

9 “(b) *DEPOSIT AND USE OF FEES.*—Fees collected
 10 under this section shall be deposited in the general fund
 11 of the Treasury as offsetting receipts. The fees may be used,
 12 to the extent provided in advance in an appropriation law,
 13 only to carry out activities under section 93(a)(4).”.

14 (c) *CLERICAL AMENDMENT.*—The analysis for chapter
 15 5 of title 14, United States Code, is amended by adding
 16 at the end the following:

 “102. Agreements.”.

17 **SEC. 205. COAST GUARD HOUSING.**

18 (a) *COMMANDANT; GENERAL POWERS.*—Section
 19 93(a)(13) of title 14, United States Code, is amended by
 20 striking “the Treasury” and inserting “the fund established
 21 under section 687”.

22 (b) *LIGHTHOUSE PROPERTY.*—Section 672a(b) of title
 23 14, United States Code, is amended by striking “the Treas-
 24 ury” and inserting “the fund established under section
 25 687”.

1 (c) *CONFORMING AMENDMENT.*—Section 687(b) of title
 2 14, United States Code, is amended by adding at the end
 3 the following:

4 “(4) Monies received under section 93(a)(13).

5 “(5) Amounts received under section 672a(b).”.

6 **SEC. 206. DETERMINATIONS.**

7 (a) *IN GENERAL.*—Chapter 5 of title 14, United States
 8 Code, as amended by this Act, is further amended by adding
 9 at the end the following:

10 **“§ 103. Determinations**

11 “The Secretary may only make a determination that
 12 a waterway, or any portion thereof, is navigable for pur-
 13 poses of the jurisdiction of the Coast Guard through a rule-
 14 making that is conducted in a manner consistent with sub-
 15 chapter II of chapter 5 of title 5.”.

16 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
 17 5 of title 14, United States Code, as amended by this Act,
 18 is further amended by adding at the end the following:

“103. Determinations.”.

19 **SEC. 207. ANNUAL BOARD OF VISITORS.**

20 Section 194 of title 14, United States Code, is amended
 21 to read as follows:

22 **“§ 194. Annual Board of Visitors**

23 “(a) *IN GENERAL.*—A Board of Visitors to the Coast
 24 Guard Academy is established to review and make rec-
 25 ommendations on the operation of the Academy.

1 “(b) *MEMBERSHIP.*—

2 “(1) *IN GENERAL.*—*The membership of the*
3 *Board shall consist of the following:*

4 “(A) *The chairman of the Committee on*
5 *Commerce, Science, and Transportation of the*
6 *Senate, or the chairman’s designee.*

7 “(B) *The chairman of the Committee on*
8 *Transportation and Infrastructure of the House*
9 *of Representatives, or the chairman’s designee.*

10 “(C) *3 Members of the Senate designated by*
11 *the Vice President.*

12 “(D) *4 Members of the House of Representa-*
13 *tives designated by the Speaker of the House of*
14 *Representatives.*

15 “(E) *6 individuals designated by the Presi-*
16 *dent.*

17 “(2) *LENGTH OF SERVICE.*—

18 “(A) *MEMBERS OF CONGRESS.*—*A Member*
19 *of Congress designated under subparagraph (C)*
20 *or (D) of paragraph (1) as a member of the*
21 *Board shall be designated as a member in the*
22 *First Session of a Congress and serve for the du-*
23 *ration of that Congress.*

24 “(B) *INDIVIDUALS DESIGNATED BY THE*
25 *PRESIDENT.*—*Each individual designated by the*

1 *President under subparagraph (E) of paragraph*
2 *(1) shall serve as a member of the Board for 3*
3 *years, except that any such member whose term*
4 *of office has expired shall continue to serve until*
5 *a successor is appointed.*

6 “(3) *DEATH OR RESIGNATION OF A MEMBER.—*
7 *If a member of the Board dies or resigns, a successor*
8 *shall be designated for any unexpired portion of the*
9 *term of the member by the official who designated the*
10 *member.*

11 “(c) *ACADEMY VISITS.—*

12 “(1) *ANNUAL VISIT.—The Board shall visit the*
13 *Academy annually to review the operation of the*
14 *Academy.*

15 “(2) *ADDITIONAL VISITS.—With the approval of*
16 *the Secretary, the Board or individual members of the*
17 *Board may make other visits to the Academy in con-*
18 *nection with the duties of the Board or to consult*
19 *with the Superintendent of the Academy.*

20 “(d) *SCOPE OF REVIEW.—The Board shall review,*
21 *with respect to the Academy—*

22 “(1) *the state of morale and discipline;*

23 “(2) *the curriculum;*

24 “(3) *instruction;*

25 “(4) *physical equipment;*

1 “(5) *fiscal affairs; and*

2 “(6) *other matters relating to the Academy that*
3 *the Board determines appropriate.*

4 “(e) *REPORT.—Not later than 60 days after the date*
5 *of an annual visit of the Board under subsection (c)(1), the*
6 *Board shall submit to the Secretary, the Committee on*
7 *Commerce, Science, and Transportation of the Senate, and*
8 *the Committee on Transportation and Infrastructure of the*
9 *House of Representatives a report on the actions of the*
10 *Board during such visit and the recommendations of the*
11 *Board pertaining to the Academy.*

12 “(f) *ADVISORS.—If approved by the Secretary, the*
13 *Board may consult with advisors in carrying out this sec-*
14 *tion.*

15 “(g) *REIMBURSEMENT.—Each member of the Board*
16 *and each adviser consulted by the Board under subsection*
17 *(f) shall be reimbursed, to the extent permitted by law, by*
18 *the Coast Guard for actual expenses incurred while engaged*
19 *in duties as a member or adviser.”.*

20 **SEC. 208. REPEAL OF LIMITATION ON MEDALS OF HONOR.**

21 *Section 494 of title 14, United States Code, is amended*
22 *by striking “medal of honor,” each place that it appears.*

23 **SEC. 209. MISSION NEED STATEMENT.**

24 “(a) *IN GENERAL.—Section 569 of title 14, United*
25 *States Code, is amended to read as follows:*

1 **“§ 569. Mission need statement**

2 “(a) *IN GENERAL.*—On the date on which the Presi-
 3 dent submits to Congress a budget for fiscal year 2016
 4 under section 1105 of title 31, on the date on which the
 5 President submits to Congress a budget for fiscal year 2019
 6 under such section, and every 4 years thereafter, the Com-
 7 mandant shall submit to the Committee on Transportation
 8 and Infrastructure of the House of Representatives and the
 9 Committee on Commerce, Science, and Transportation of
 10 the Senate an integrated major acquisition mission need
 11 statement.

12 “(b) *DEFINITIONS.*—In this section, the following defi-
 13 nitions apply:

14 “(1) *INTEGRATED MAJOR ACQUISITION MISSION*
 15 *NEED STATEMENT.*—The term ‘integrated major ac-
 16 quisition mission need statement’ means a document
 17 that—

18 “(A) identifies current and projected gaps
 19 in Coast Guard mission capabilities using mis-
 20 sion hour targets;

21 “(B) explains how each major acquisition
 22 program addresses gaps identified under sub-
 23 paragraph (A) if funded at the levels provided
 24 for such program in the most recently submitted
 25 capital investment plan; and

1 “(C) describes the missions the Coast Guard
2 will not be able to achieve, by fiscal year, for
3 each gap identified under subparagraph (A).

4 “(2) *MAJOR ACQUISITION PROGRAM*.—The term
5 ‘major acquisition program’ has the meaning given
6 that term in section 569a(e).

7 “(3) *CAPITAL INVESTMENT PLAN*.—The term
8 ‘capital investment plan’ means the plan required
9 under section 663(a)(1).”.

10 (b) *CLERICAL AMENDMENT*.—The analysis for chapter
11 15 of title 14, United States Code, is amended by striking
12 the item relating to section 569 and inserting the following:

“569. *Mission need statement*.”.

13 **SEC. 210. TRANSMISSION OF ANNUAL COAST GUARD AU-**
14 **THORIZATION REQUEST.**

15 (a) *IN GENERAL*.—Title 14, United States Code, as
16 amended by this Act, is further amended by inserting after
17 section 662 the following:

18 **“§ 662a. Transmission of annual Coast Guard author-**
19 **ization request**

20 “(a) *IN GENERAL*.—Not later than 30 days after the
21 date on which the President submits to Congress a budget
22 for a fiscal year pursuant to section 1105 of title 31, the
23 Secretary shall submit to the Committee on Transportation
24 and Infrastructure of the House of Representatives and the
25 Committee on Commerce, Science, and Transportation of

1 *the Senate a Coast Guard authorization request with re-*
 2 *spect to such fiscal year.*

3 “(b) *COAST GUARD AUTHORIZATION REQUEST DE-*
 4 *FINED.*—*In this section, the term ‘Coast Guard authoriza-*
 5 *tion request’ means a proposal for legislation that, with re-*
 6 *spect to the Coast Guard for the relevant fiscal year—*

7 “(1) *recommends end strengths for personnel for*
 8 *that fiscal year, as described in section 661;*

9 “(2) *recommends authorizations of appropria-*
 10 *tions for that fiscal year, including with respect to*
 11 *matters described in section 662; and*

12 “(3) *addresses any other matter that the Sec-*
 13 *retary determines is appropriate for inclusion in a*
 14 *Coast Guard authorization bill.”.*

15 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 16 *17 of title 14, United States Code, is amended by inserting*
 17 *after the item relating to section 662 the following:*

“662a. Transmission of annual Coast Guard authorization request.”.

18 **SEC. 211. INVENTORY OF REAL PROPERTY.**

19 (a) *IN GENERAL.*—*Chapter 17 of title 14, United*
 20 *States Code, is amended by adding at the end the following:*

21 **“§ 679. Inventory of real property**

22 “(a) *IN GENERAL.*—*Not later than September 30,*
 23 *2014, the Commandant shall establish an inventory of all*
 24 *real property, including submerged lands, under the control*
 25 *of the Coast Guard, which shall include—*

1 “(1) *the size, the location, and any other appro-*
2 *prate description of each unit of such property;*

3 “(2) *an assessment of the physical condition of*
4 *each unit of such property, excluding lands;*

5 “(3) *an estimate of the fair market value of each*
6 *unit of such property;*

7 “(4) *a determination of whether each unit of*
8 *such property should be—*

9 “(A) *retained to fulfill a current or pro-*
10 *jected Coast Guard mission requirement; or*

11 “(B) *subject to divestiture; and*

12 “(5) *other information the Commandant con-*
13 *siders appropriate.*

14 “(b) *INVENTORY MAINTENANCE.—The Commandant*
15 *shall—*

16 “(1) *maintain the inventory required under sub-*
17 *section (a) on an ongoing basis; and*

18 “(2) *update information on each unit of real*
19 *property included in such inventory not later than 30*
20 *days after any change relating to such property.*

21 “(c) *RECOMMENDATIONS TO CONGRESS.—Not later*
22 *than March 30, 2015, and every 5 years thereafter, the Com-*
23 *mandant shall submit to the Committee on Transportation*
24 *and Infrastructure of the House of Representatives and the*

1 *Committee on Commerce, Science, and Transportation of*
 2 *the Senate a report that includes—*

3 “(1) *a list of all real property under the control*
 4 *of the Coast Guard and the location of such property*
 5 *by property type;*

6 “(2) *recommendations for divestiture with re-*
 7 *spect to any units of such property, including an esti-*
 8 *mate of—*

9 “(A) *the fair market value of any property*
 10 *recommended for divestiture; and*

11 “(B) *the costs or savings associated with di-*
 12 *vestiture; and*

13 “(3) *recommendations for consolidating any*
 14 *units of such property, including—*

15 “(A) *an estimate of the costs or savings as-*
 16 *sociated with each recommended consolidation;*
 17 *and*

18 “(B) *a discussion of the impact that such*
 19 *consolidation would have on Coast Guard mis-*
 20 *sion effectiveness.”.*

21 (b) *CLERICAL AMENDMENT.—The analysis for chapter*
 22 *17 of title 14, United States Code, as amended by this Act,*
 23 *is further amended by adding at the end the following:*

 “679. *Inventory of real property.”.*

1 **SEC. 212. ACTIVE DUTY FOR EMERGENCY AUGMENTATION**
 2 **OF REGULAR FORCES.**

3 *Section 712(a) of title 14, United States Code, is*
 4 *amended by striking “not more than 60 days in any 4-*
 5 *month period and”.*

6 **SEC. 213. ACQUISITION WORKFORCE EXPEDITED HIRING**
 7 **AUTHORITY.**

8 *Section 404(b) of the Coast Guard Authorization Act*
 9 *of 2010 (Public Law 111–281; 124 Stat. 2951) is amended*
 10 *by striking “2015” and inserting “2017”.*

11 **SEC. 214. ICEBREAKERS.**

12 *(a) COAST GUARD POLAR ICEBREAKERS.—Section*
 13 *222 of the Coast Guard and Maritime Transportation Act*
 14 *of 2012 (Public Law 112–213; 126 Stat. 1560) is amend-*
 15 *ed—*

16 *(1) in subsection (d)(2)—*

17 *(A) in the paragraph heading by striking “;*
 18 *BRIDGING STRATEGY”;* and

19 *(B) by striking “Commandant of the Coast*
 20 *Guard” and all that follows through the period*
 21 *at the end and inserting “Commandant of the*
 22 *Coast Guard may decommission the Polar Sea.”;*

23 *(2) by adding at the end of subsection (d) the fol-*
 24 *lowing:*

25 *“(3) RESULT OF NO DETERMINATION.—If in the*
 26 *analysis submitted under this section the Secretary*

1 *does not make a determination under subsection*
2 *(a)(5) regarding whether it is cost-effective to reac-*
3 *tivate the Polar Sea, then—*

4 *“(A) the Commandant of the Coast Guard*
5 *may decommission the Polar Sea; or*

6 *“(B) the Secretary may make such deter-*
7 *mination, not later than 90 days after the date*
8 *of enactment of this paragraph, and take actions*
9 *in accordance with this subsection as though*
10 *such determination was made in the analysis*
11 *previously submitted.”;*

12 *(3) by redesignating subsections (e), (f), and (g)*
13 *as subsections (f), (g), and (h), respectively; and*

14 *(4) by inserting after subsection (d) the fol-*
15 *lowing:*

16 *“(e) STRATEGIES.—*

17 *“(1) IN GENERAL.—Not later than 180 days*
18 *after the date on which the analysis required under*
19 *subsection (a) is submitted, the Commandant of the*
20 *Coast Guard shall submit to the Committee on Trans-*
21 *portation and Infrastructure of the House of Rep-*
22 *resentatives and the Committee on Commerce,*
23 *Science, and Transportation of the Senate—*

1 “(A) a strategy to meet the Coast Guard’s
2 Arctic ice operations needs through September
3 30, 2050; and

4 “(B) unless the Secretary makes a deter-
5 mination under this section that it is cost-effec-
6 tive to reactivate the Polar Sea, a bridging strat-
7 egy for maintaining the Coast Guard’s polar
8 icebreaking services until at least September 30,
9 2024.

10 “(2) *REQUIREMENT.*—The strategies required
11 under paragraph (1) shall include a business case
12 analysis comparing the leasing and purchasing of ice-
13 breakers to maintain the needs and services described
14 in that paragraph.”.

15 (b) *LIMITATION.*—

16 (1) *IN GENERAL.*—The Secretary of the depart-
17 ment in which the Coast Guard is operating may not
18 expend amounts appropriated for the Coast Guard for
19 any of fiscal years 2015 through 2024, for—

20 (A) design activities related to a capability
21 of a Polar-Class Icebreaker that is based on an
22 operational requirement of another Federal de-
23 partment or agency, except for amounts appro-
24 priated for design activities for a fiscal year be-
25 fore fiscal year 2016; or

1 (B) long-lead-time materials, production, or
 2 post-delivery activities related to such a capa-
 3 bility.

4 (2) *OTHER AMOUNTS*.—Amounts made available
 5 to the Secretary under an agreement with another
 6 Federal department or agency and expended on a ca-
 7 pability of a Polar-Class Icebreaker that is based on
 8 an operational requirement of that or another Federal
 9 department or agency shall not be treated as amounts
 10 expended by the Secretary for purposes of the limita-
 11 tion established under paragraph (1).

12 **SEC. 215. MULTIYEAR PROCUREMENT AUTHORITY FOR OFF-**
 13 **SHORE PATROL CUTTERS.**

14 In fiscal year 2015 and each fiscal year thereafter, the
 15 Secretary of the department in which the Coast Guard is
 16 operating may enter into, in accordance with section 2306b
 17 of title 10, United States Code, multiyear contracts for the
 18 procurement of Offshore Patrol Cutters and associated
 19 equipment.

20 **SEC. 216. MAINTAINING MEDIUM ENDURANCE CUTTER MIS-**
 21 **SION CAPABILITY.**

22 Not later than 30 days after the date of enactment of
 23 this Act, the Secretary of the department in which the Coast
 24 Guard is operating shall submit to the Committee on Trans-
 25 portation and Infrastructure of the House of Representa-

1 *tives and the Committee on Commerce, Science, and Trans-*
2 *portation of the Senate a report that includes—*

3 *(1) a schedule and plan for decommissioning,*
4 *not later than September 30, 2029, each of the 210-*
5 *foot, Reliance-Class Cutters operated by the Coast*
6 *Guard on the date of enactment of this Act;*

7 *(2) a schedule and plan for enhancing the main-*
8 *tenance or extending the service life of each of the*
9 *270-foot, Famous-Class Cutters operated by the Coast*
10 *Guard on the date of enactment of this Act—*

11 *(A) to maintain the capability of the Coast*
12 *Guard to carry out sea-going missions with re-*
13 *spect to such Cutters at the level of capability ex-*
14 *isting on September 30, 2013; and*

15 *(B) for the period beginning on the date of*
16 *enactment of this Act and ending on the date on*
17 *which the final Offshore Patrol Cutter is sched-*
18 *uled and planned to be commissioned under*
19 *paragraph (4);*

20 *(3) an identification of the number of Offshore*
21 *Patrol Cutters capable of sea state 5 operations that,*
22 *if 8 National Security Cutters are commissioned, are*
23 *necessary to return the sea state 5 operating capa-*
24 *bility of the Coast Guard to the level of capability*

1 *that existed prior to the decommissioning of the first*
 2 *High Endurance Cutter in fiscal year 2011;*

3 *(4) a schedule and plan for commissioning the*
 4 *number of Offshore Patrol Cutters identified under*
 5 *paragraph (3); and*

6 *(5) a schedule and plan for commissioning, not*
 7 *later than September 30, 2034, a number of Offshore*
 8 *Patrol Cutters not capable of sea state 5 operations*
 9 *that is equal to—*

10 *(A) 25; less*

11 *(B) the number of Offshore Patrol Cutters*
 12 *identified under paragraph (3).*

13 ***SEC. 217. COAST GUARD ADMINISTRATIVE SAVINGS.***

14 *(a) ELIMINATION OF OUTDATED AND DUPLICATIVE*
 15 *REPORTS.—*

16 *(1) MARINE INDUSTRY TRAINING.—Section 59 of*
 17 *title 14, United States Code, is amended—*

18 *(A) by striking “(a) IN GENERAL.—The*
 19 *Commandant” and inserting “The Com-*
 20 *mandant”; and*

21 *(B) by striking subsection (b).*

22 *(2) OPERATIONS AND EXPENDITURES.—Section*
 23 *651 of title 14, United States Code, and the item re-*
 24 *lating to such section in the analysis for chapter 17*
 25 *of such title, are repealed.*

1 (3) *DRUG INTERDICTION*.—Section 103 of the
2 *Coast Guard Authorization Act of 1996* (14 U.S.C. 89
3 *note*), and the item relating to that section in the
4 *table of contents in section 2 of that Act*, are repealed.

5 (4) *NATIONAL DEFENSE*.—Section 426 of the
6 *Maritime Transportation Security Act of 2002* (14
7 U.S.C. 2 *note*), and the item relating to that section
8 *in the table of contents in section 1(b) of that Act*, are
9 repealed.

10 (5) *LIVING MARINE RESOURCES*.—Section 4(b) of
11 *the Cruise Vessel Security and Safety Act of 2010* (16
12 U.S.C. 1828 *note*) is amended by adding at the end
13 the following: “No report shall be required under this
14 subsection, including that no report shall be required
15 under section 224 of the *Coast Guard and Maritime*
16 *Transportation Act of 2004* or section 804 of the
17 *Coast Guard and Maritime Transportation Act of*
18 *2006, for fiscal years beginning after fiscal year*
19 *2013.*”.

20 (b) *CONSOLIDATION AND REFORM OF REPORTING RE-*
21 *QUIREMENTS*.—

22 (1) *MARINE SAFETY*.—

23 (A) *IN GENERAL*.—Section 2116(d)(2)(B) of
24 *title 46, United States Code*, is amended to read
25 as follows:

1 “(B) on the program’s mission performance
 2 in achieving numerical measurable goals estab-
 3 lished under subsection (b), including—

4 “(i) the number of civilian and mili-
 5 tary Coast Guard personnel assigned to ma-
 6 rine safety positions; and

7 “(ii) an identification of marine safety
 8 positions that are understaffed to meet the
 9 workload required to accomplish each activ-
 10 ity included in the strategy and plans
 11 under subsection (a); and”.

12 (B) CONFORMING AMENDMENT.—Section 57
 13 of title 14, United States Code, as amended by
 14 this Act, is further amended—

15 (i) by striking subsection (e); and

16 (ii) by redesignating subsections (f),
 17 (g), and (h) as subsections (e), (f), and (g)
 18 respectively.

19 (2) MINOR CONSTRUCTION.—Section 656(d)(2) of
 20 title 14, United States Code, is amended to read as
 21 follows:

22 “(2) REPORT.—Not later than the date on which
 23 the President submits to Congress a budget under sec-
 24 tion 1105 of title 31 each year, the Secretary shall
 25 submit to the Committee on Transportation and In-

1 *frastructure of the House of Representatives and the*
 2 *Committee on Commerce, Science, and Transpor-*
 3 *tation of the Senate a report describing each project*
 4 *carried out under paragraph (1), in the most recently*
 5 *concluded fiscal year, for which the amount expended*
 6 *under such paragraph for such project was more than*
 7 *\$1,000,000. If no such project was carried out during*
 8 *a fiscal year, no report under this paragraph shall be*
 9 *required with respect to that fiscal year.”.*

10 (3) *RESCUE 21.*—Section 346 of the Maritime
 11 *Transportation Security Act of 2002 (14 U.S.C. 88*
 12 *note) is amended to read as follows:*

13 **“SEC. 346. MODERNIZATION OF NATIONAL DISTRESS AND**
 14 **RESPONSE SYSTEM.**

15 “(a) *REPORT.*—Not later than March 30, 2014, the
 16 *Secretary of the department in which the Coast Guard is*
 17 *operating shall submit to the Committee on Transportation*
 18 *and Infrastructure of the House of Representatives and the*
 19 *Committee on Commerce, Science, and Transportation of*
 20 *the Senate a report on the implementation of the Rescue*
 21 *21 project in Alaska and in Coast Guard sectors Upper*
 22 *Mississippi River, Lower Mississippi River, and Ohio*
 23 *River Valley.*

24 “(b) *CONTENTS.*—The report required under sub-
 25 *section (a) shall—*

1 “(1) describe what improvements are being made
2 to the distress response system in the areas specified
3 in subsection (a), including information on which
4 areas will receive digital selective calling and direc-
5 tion finding capability;

6 “(2) describe the impediments to installing dig-
7 ital selective calling and direction finding capability
8 in areas where such technology will not be installed;

9 “(3) identify locations in the areas specified in
10 subsection (a) where communication gaps will con-
11 tinue to present a risk to mariners after completion
12 of the Rescue 21 project;

13 “(4) include a list of all reported marine acci-
14 dents, casualties, and fatalities occurring in the loca-
15 tions identified under paragraph (3) since 1990; and

16 “(5) provide an estimate of the costs associated
17 with installing the technology necessary to close com-
18 munication gaps in the locations identified under
19 paragraph (3).”.

20 **SEC. 218. TECHNICAL CORRECTIONS TO TITLE 14.**

21 Title 14, United States Code, as amended by this Act,
22 is further amended—

23 (1) in section 93(b)(1) by striking “Notwith-
24 standing subsection (a)(14)” and inserting “Notwith-
25 standing subsection (a)(13)”;

1 (2) *in section 197(b) by striking “of Homeland*
 2 *Security”;* and

3 (3) *in section 573(c)(3)(A) by inserting “and*
 4 *shall maintain such cutter in such class” before the*
 5 *period at the end.*

6 **SEC. 219. FLAG OFFICERS.**

7 (a) *IN GENERAL.*—*Title 14, United States Code, is*
 8 *amended by inserting after section 295 the following:*

9 **“§ 296. Flag officers**

10 *“During any period in which the Coast Guard is not*
 11 *operating as a service in the Navy, section 1216(d) of title*
 12 *10 does not apply with respect to flag officers of the Coast*
 13 *Guard.”.*

14 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 15 *11 of title 14, United States Code, is amended by inserting*
 16 *after the item relating to section 295 the following:*

“296. Flag officers.”.

17 **SEC. 220. AVIATION CAPABILITY IN THE GREAT LAKES RE-**
 18 **GION.**

19 *The Secretary of the department in which the Coast*
 20 *Guard is operating may—*

21 (1) *request and accept through a direct military-*
 22 *to-military transfer under section 2571 of title 10,*
 23 *United States Code, such H–60 helicopters as may be*
 24 *necessary to establish a year-round operational capa-*
 25 *bility in the Coast Guard’s Ninth District; and*

1 (2) *use funds provided under section 101 of this*
2 *Act to convert such helicopters to Coast Guard MH-*
3 *60T configuration.*

4 **SEC. 221. E-LORAN.**

5 (a) *IN GENERAL.*—*The Secretary of the department in*
6 *which the Coast Guard is operating may not carry out ac-*
7 *tivities related to the dismantling or disposal of infrastruc-*
8 *ture that supported the former LORAN system until the*
9 *later of—*

10 (1) *the date that is 1 year after the date of enact-*
11 *ment of this Act; or*

12 (2) *the date on which the Secretary provides to*
13 *the Committee on Transportation and Infrastructure*
14 *of the House of Representatives and the Committee on*
15 *Commerce, Science, and Transportation of the Senate*
16 *notice of a determination by the Secretary that such*
17 *infrastructure is not required to provide a posi-*
18 *tioning, navigation, and timing system to provide re-*
19 *dundant capability in the event GPS signals are dis-*
20 *rupted.*

21 (b) *EXCEPTION.*—*Subsection (a) does not apply to ac-*
22 *tivities necessary for the safety of human life.*

23 (c) *AGREEMENTS.*—*The Secretary may enter into co-*
24 *operative agreements, contracts, and other agreements with*
25 *Federal entities and other public or private entities, includ-*

1 *ing academic entities, to develop a positioning, timing, and*
 2 *navigation system, including an enhanced LORAN system,*
 3 *to provide redundant capability in the event GPS signals*
 4 *are disrupted.*

5 ***TITLE III—SHIPPING AND***
 6 ***NAVIGATION***

7 ***SEC. 301. TREATMENT OF FISHING PERMITS.***

8 *(a) IN GENERAL.—Subchapter I of chapter 313 of title*
 9 *46, United States Code, is amended by adding at the end*
 10 *the following:*

11 ***“§ 31310. Treatment of fishing permits***

12 *“(a) LIMITATION ON MARITIME LIENS.—This chap-*
 13 *ter—*

14 *“(1) does not establish a maritime lien on a fish-*
 15 *ing permit; and*

16 *“(2) does not authorize any civil action to en-*
 17 *force a maritime lien on a fishing permit.*

18 *“(b) TREATMENT OF FISHING PERMITS UNDER STATE*
 19 *AND FEDERAL LAW.—A fishing permit—*

20 *“(1) is governed solely by the State or Federal*
 21 *law under which it is issued; and*

22 *“(2) shall not be treated as part of a vessel, or*
 23 *as an appurtenance or intangible of a vessel, for any*
 24 *purpose under Federal law.*

1 “(c) *AUTHORITY OF SECRETARY OF COMMERCE NOT*
 2 *AFFECTED.*—*Nothing in this section shall be construed as*
 3 *imposing any limitation upon the authority of the Sec-*
 4 *retary of Commerce—*

5 “(1) *to modify, suspend, revoke, or impose a*
 6 *sanction on any fishing permit issued by the Sec-*
 7 *retary of Commerce; or*

8 “(2) *to bring a civil action to enforce such a*
 9 *modification, suspension, revocation, or sanction.*

10 “(d) *FISHING PERMIT DEFINED.*—*In this section the*
 11 *term ‘fishing permit’ means any authorization of a person*
 12 *or vessel to engage in fishing that is issued under State*
 13 *or Federal law.”.*

14 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 15 *the beginning of such chapter is amended by inserting after*
 16 *the item relating to section 31309 the following:*

 “31310. *Treatment of fishing permits.*”.

17 **SEC. 302. INTERNATIONAL ICE PATROL REFORM.**

18 (a) *IN GENERAL.*—*Section 80301 of title 46, United*
 19 *States Code, is amended by adding at the end the following:*

20 “(c) *PAYMENTS.*—*Payments received pursuant to sub-*
 21 *section (b)(1) shall be credited to the appropriation for op-*
 22 *erating expenses of the Coast Guard.*

23 “(d) *LIMITATION.*—

24 “(1) *IN GENERAL.*—*A Coast Guard vessel or air-*
 25 *craft may not be used to carry out an agreement*

1 *under subsection (a) in fiscal year 2015 and any fis-*
 2 *cal year thereafter unless payments are received by*
 3 *the United States Government pursuant to subsection*
 4 *(b)(1) in the preceding fiscal year in a total amount*
 5 *that is not less than difference between—*

6 *“(A) the cost incurred by the Coast Guard*
 7 *in maintaining the services; minus*

8 *“(B) the amount of the proportionate share*
 9 *of the expense generated by vessels documented*
 10 *under the laws of the United States.*

11 *“(2) EXCEPTION.—Notwithstanding paragraph*
 12 *(1), Coast Guard aircraft may be used to carry out*
 13 *an agreement under subsection (a) if the President de-*
 14 *termines it necessary in the interest of national secu-*
 15 *rity.*

16 *“(3) NOTIFICATION.—The President shall notify*
 17 *the Committee on Transportation and Infrastructure*
 18 *of the House of Representatives and the Committee on*
 19 *Commerce, Science, and Transportation of the Senate*
 20 *of a determination made under paragraph (2) within*
 21 *15 days after such determination.”.*

22 *(b) REPEAL.—Section 80302 of title 46, United States*
 23 *Code, and the item relating to such section in the analysis*
 24 *for chapter 803 of such title, are repealed on October 1,*
 25 *2014.*

1 **SEC. 303. REPEAL.**

2 *Chapter 555 of title 46, United States Code, is amend-*
 3 *ed—*

4 *(1) by repealing section 55501;*

5 *(2) by redesignating section 55502 as section*
 6 *55501; and*

7 *(3) in the analysis by striking the items relating*
 8 *to sections 55501 and 55502 and inserting the fol-*
 9 *lowing:*

“55501. United States Committee on the Marine Transportation System.”.

10 **SEC. 304. DONATION OF HISTORICAL PROPERTY.**

11 *Section 51103 of title 46, United States Code, is*
 12 *amended by adding at the end the following:*

13 *“(e) DONATION FOR HISTORICAL PURPOSES.—*

14 *“(1) IN GENERAL.—The Secretary may convey*
 15 *the right, title, and interest of the United States Gov-*
 16 *ernment in any property administered by the Mari-*
 17 *time Administration, except real estate or vessels, if—*

18 *“(A) the Secretary determines that such*
 19 *property is not needed by the Maritime Adminis-*
 20 *tration; and*

21 *“(B) the recipient—*

22 *“(i) is a nonprofit organization, a*
 23 *State, or a political subdivision of a State;*

24 *“(ii) agrees to hold the Government*
 25 *harmless for any claims arising from expo-*

1 *sure to hazardous materials, including as-*
2 *bestos, polychlorinated biphenyls, or lead*
3 *paint, after conveyance of the property;*

4 “(iii) provides a description and ex-
5 planation of the intended use of the prop-
6 erty to the Secretary for approval;

7 “(iv) has provided to the Secretary
8 proof, as determined by the Secretary, of re-
9 sources sufficient to accomplish the intended
10 use provided under clause (iii) and to
11 maintain the property;

12 “(v) agrees that when the recipient no
13 longer requires the property, the recipient
14 shall—

15 “(I) return the property to the
16 Secretary, at the recipient’s expense
17 and in the same condition as received
18 except for ordinary wear and tear; or

19 “(II) subject to the approval of the
20 Secretary, retain, sell, or otherwise dis-
21 pose of the property in a manner con-
22 sistent with applicable law; and

23 “(vi) agree to any additional terms the
24 Secretary considers appropriate.

1 “(2) *REVERSION.*—*The Secretary shall include*
 2 *in any conveyance under this subsection terms under*
 3 *which all right, title, and interest conveyed by the*
 4 *Secretary shall revert to the Government if the Sec-*
 5 *retary determines the property has been used other*
 6 *than as approved by the Secretary under paragraph*
 7 *(1)(B)(iii).’.*”

8 **SEC. 305. SMALL SHIPYARDS.**

9 *Section 54101(i) of title 46, United States Code, is*
 10 *amended by striking “2009 through 2013” and inserting*
 11 *“2015 and 2016”.*

12 **SEC. 306. DRUG TESTING REPORTING.**

13 *Section 7706 of title 46, United States Code, is amend-*
 14 *ed—*

15 *(1) in subsection (a), by inserting “an applicant*
 16 *for employment by a Federal agency,” after “Federal*
 17 *agency,”; and*

18 *(2) in subsection (c), by—*

19 *(A) inserting “or an applicant for employ-*
 20 *ment by a Federal agency” after “an employee”;*
 21 *and*

22 *(B) striking “the employee.” and inserting*
 23 *“the employee or the applicant.”.*

1 **SEC. 307. RECOURSE FOR NONCITIZENS.**

2 *Section 30104 of title 46, United States Code, is*
3 *amended—*

4 *(1) by inserting “(a) IN GENERAL.—” before the*
5 *first sentence; and*

6 *(2) by adding at the end the following new sub-*
7 *section:*

8 *“(b) RESTRICTION ON RECOVERY FOR NONRESIDENT*
9 *ALIENS EMPLOYED ON FOREIGN PASSENGER VESSELS.—*
10 *A claim for damages or expenses relating to personal in-*
11 *jury, illness, or death of a seaman who is a citizen of a*
12 *foreign nation, arising during or from the engagement of*
13 *the seaman by or for a passenger vessel duly registered*
14 *under the laws of a foreign nation, may not be brought*
15 *under the laws of the United States if—*

16 *“(1) such seaman was not a permanent resident*
17 *alien of the United States at the time the claim arose;*

18 *“(2) the injury, illness, or death arose outside the*
19 *territorial waters of the United States; and*

20 *“(3) the seaman or the seaman’s personal rep-*
21 *resentative has or had a right to seek compensation*
22 *for the injury, illness, or death in, or under the laws*
23 *of—*

24 *“(A) the nation in which the vessel was reg-*
25 *istered at the time the claim arose; or*

1 “(B) *the nation in which the seaman main-*
 2 *tained citizenship or residency at the time the*
 3 *claim arose.*”.

4 **SEC. 308. PENALTY WAGES.**

5 (a) *FOREIGN AND INTERCOASTAL VOYAGES.*—Section
 6 10313(g) of title 46, United States Code, is amended—

7 (1) in paragraph (2)—

8 (A) by striking “*all claims in a class action*
 9 *suit by seamen*” and inserting “*each claim by a*
 10 *seaman*”; and

11 (B) by striking “*the seamen*” and inserting
 12 “*the seaman*”; and

13 (2) in paragraph (3)—

14 (A) by striking “*class action*”; and

15 (B) in subparagraph (B), by striking “, by
 16 *a seaman who is a claimant in the suit,*” and
 17 inserting “*by the seaman*”.

18 (b) *COASTWISE VOYAGES.*—Section 10504(c) of such
 19 title is amended—

20 (1) in paragraph (2)—

21 (A) by striking “*all claims in a class action*
 22 *suit by seamen*” and inserting “*each claim by a*
 23 *seaman*”; and

24 (B) by striking “*the seamen*” and inserting
 25 “*the seaman*”; and

1 (2) in paragraph (3)—

2 (A) by striking “class action”; and

3 (B) in subparagraph (B), by striking “, by
4 a seaman who is a claimant in the suit,” and
5 inserting “by the seaman”.

6 **SEC. 309. CREDITING TIME IN THE SEA SERVICES.**

7 (a) *ENDORSEMENTS FOR VETERANS.*—Section 7101 of
8 title 46, United States Code, is amended by adding at the
9 end the following:

10 “(j) The Secretary may issue a license under this sec-
11 tion in a class under subsection (c) to an applicant that—

12 “(1) has at least 3 months of qualifying service
13 on vessels of the uniformed services (as that term is
14 defined in section 101(a) of title 10) of appropriate
15 tonnage or horsepower within the 7-year period im-
16 mediately preceding the date of application; and

17 “(2) satisfies all other requirements for such a li-
18 cense.”.

19 (b) *SEA SERVICE LETTERS.*—

20 (1) *IN GENERAL.*—Title 14, United States Code,
21 as amended by this Act, is further amended by insert-
22 ing after section 427 the following:

1 **“§ 428. Sea service letters**

2 “(a) *IN GENERAL.*—The Secretary shall provide a sea
3 service letter to a member or former member of the Coast
4 Guard who—

5 “(1) *accumulated sea service on a vessel of the*
6 *armed forces (as such term is defined in section*
7 *101(a) of title 10); and*

8 “(2) *requests such letter.*

9 “(b) *DEADLINE.*—Not later than 30 days after receiv-
10 ing a request for a sea service letter from a member or
11 former member of the Coast Guard under subsection (a),
12 the Secretary shall provide such letter to such member or
13 former member if such member or former member satisfies
14 the requirement under subsection (a)(1).”.

15 (2) *CLERICAL AMENDMENT.*—The analysis for
16 chapter 11 of title 14, United States Code, as amend-
17 ed by this Act, is further amended by inserting after
18 the item relating to section 427 the following:

“428. Sea service letters.”.

19 (c) *CREDITING OF UNITED STATES ARMED FORCES*
20 *SERVICE, TRAINING, AND QUALIFICATIONS.*—

21 (1) *MAXIMIZING CREDITABILITY.*—The Secretary
22 of the department in which the Coast Guard is oper-
23 ating, in implementing United States merchant mar-
24 iner license, certification, and document laws and the
25 International Convention on Standards of Training,

1 *Certification and Watchkeeping for Seafarers, 1978,*
 2 *shall maximize the extent to which United States*
 3 *Armed Forces service, training, and qualifications are*
 4 *creditable toward meeting the requirements of such*
 5 *laws and such Convention.*

6 (2) *NOTIFICATION.*—*Not later than 90 days after*
 7 *the date of enactment of this Act, the Secretary shall*
 8 *notify the Committee on Transportation and Infra-*
 9 *structure of the House of Representatives and the*
 10 *Committee on Commerce, Science, and Transpor-*
 11 *tation of the Senate on the steps taken to implement*
 12 *this subsection.*

13 **SEC. 310. TREATMENT OF ABANDONED SEAFARERS.**

14 (a) *IN GENERAL.*—*The Act to Prevent Pollution from*
 15 *Ships (33 U.S.C. 1901 et seq.) is amended—*

16 (1) *by adding at the end the following:*

17 **“SEC. 18. TREATMENT OF ABANDONED SEAFARERS.**

18 “(a) *ABANDONED SEAFARERS FUND.*—

19 “(1) *ESTABLISHMENT.*—*There is established in*
 20 *the Treasury a separate account to be known as the*
 21 *Abandoned Seafarers Fund.*

22 “(2) *CREDITING OF AMOUNTS TO FUND.*—

23 “(A) *IN GENERAL.*—*There shall be credited*
 24 *to the Fund the following:*

1 “(i) *Penalties deposited in the Fund*
2 *under section 9, except as provided in sub-*
3 *paragraph (B).*

4 “(ii) *Amounts reimbursed or recovered*
5 *under subsection (d).*

6 “(B) *LIMITATION.—Amounts may be cred-*
7 *ited to the Fund under subparagraph (A)(i) only*
8 *if the unobligated balance of the Fund is less*
9 *than \$2,000,000.*

10 “(3) *REPORT REQUIRED.—On the date on which*
11 *the President submits each budget for a fiscal year*
12 *pursuant to section 1105 of title 31, United States*
13 *Code, the Secretary shall submit to the Committee on*
14 *Transportation and Infrastructure of the House of*
15 *Representatives and the Committee on Commerce,*
16 *Science, and Transportation of the Senate a report*
17 *that describes—*

18 “(A) *the amounts credited to the Fund*
19 *under paragraph (2) for the preceding fiscal*
20 *year; and*

21 “(B) *amounts in the Fund that were ex-*
22 *pende**d for the preceding fiscal year.*

23 “(b) *AUTHORIZATION OF APPROPRIATIONS FROM*
24 *FUND.—Amounts in the Fund may be appropriated to the*
25 *Secretary for use to—*

1 “(1) *pay necessary support of—*

2 “(A) *a seafarer that—*

3 “(i) *enters, remains, or is paroled into*
4 *the United States; and*

5 “(ii) *is involved in an investigation,*
6 *reporting, documentation, or adjudication*
7 *of any matter that is related to the admin-*
8 *istration or enforcement of this Act by the*
9 *Coast Guard; and*

10 “(B) *a seafarer that the Secretary deter-*
11 *mines was abandoned in the United States and*
12 *has not applied for asylum under section 208 or*
13 *235 of the Immigration and Nationality Act (8*
14 *U.S.C. 1158, 1225); and*

15 “(2) *reimburse a vessel owner or operator that*
16 *has provided necessary support of a seafarer who has*
17 *been paroled into the United States to facilitate an*
18 *investigation, reporting, documentation, or adjudica-*
19 *tion of any matter that is related to the administra-*
20 *tion or enforcement of this Act by the Coast Guard,*
21 *for the costs of such necessary support.*

22 “(c) *LIMITATION.—Nothing in this section shall be*
23 *construed—*

1 “(1) *to create a private right of action or any*
2 *other right, benefit, or entitlement to necessary sup-*
3 *port for any person; or*

4 “(2) *to compel the Secretary to pay or reimburse*
5 *the cost of necessary support.*

6 “(d) *REIMBURSEMENT; RECOVERY.—*

7 “(1) *IN GENERAL.—A vessel owner or operator*
8 *shall reimburse the Fund an amount equal to the*
9 *total amount paid from the Fund for necessary sup-*
10 *port of a seafarer, if—*

11 “(A) *the vessel owner or operator—*

12 “(i) *during the course of an investiga-*
13 *tion, reporting, documentation, or adjudica-*
14 *tion of any matter under this Act that the*
15 *Coast Guard referred to a United States at-*
16 *torney or the Attorney General, fails to pro-*
17 *vide necessary support of a seafarer who*
18 *was paroled into the United States to facili-*
19 *tate the investigation, reporting, docu-*
20 *mentation, or adjudication; and*

21 “(ii) *subsequently is—*

22 “(I) *convicted of a criminal of-*
23 *fense related to such matter; or*

24 “(II) *required to reimburse the*
25 *Fund pursuant to a court order or ne-*

1 *gotiated settlement related to such mat-*
2 *ter; or*

3 “(B) *the vessel owner or operator abandons*
4 *a seafarer in the United States, as determined by*
5 *the Secretary based on substantial evidence.*

6 “(2) *ENFORCEMENT.—If a vessel owner or oper-*
7 *ator fails to reimburse the Fund under paragraph (1),*
8 *the Secretary may—*

9 “(A) *proceed in rem against the vessel on*
10 *which the affected seafarer served in the Federal*
11 *district court for the district in which the vessel*
12 *is found; and*

13 “(B) *withhold or revoke the clearance re-*
14 *quired under section 60105 of title 46, United*
15 *States Code, for the vessel.*

16 “(3) *REMEDY.—A vessel may obtain clearance*
17 *from the Secretary after it is withheld or revoked*
18 *under paragraph (2)(B) if the vessel owner or oper-*
19 *ator—*

20 “(A) *reimburses the Fund the amount re-*
21 *quired under paragraph (1); or*

22 “(B) *provides a bond, or other evidence of*
23 *financial responsibility sufficient to meet the*
24 *amount required to be reimbursed under para-*
25 *graph (1).*

1 “(e) *DEFINITIONS.—In this section:*

2 “(1) *ABANDONS; ABANDONED.—Each of the*
3 *terms ‘abandons’ and ‘abandoned’ means—*

4 “(A) *a vessel owner’s or operator’s unilat-*
5 *eral severance of ties with a seafarer; and*

6 “(B) *a vessel owner’s or operator’s failure to*
7 *provide necessary support of a seafarer.*

8 “(2) *FUND.—The term ‘Fund’ means the Aban-*
9 *doned Seafarers Fund established under this section.*

10 “(3) *NECESSARY SUPPORT.—The term ‘necessary*
11 *support’ means normal wages and expenses the Sec-*
12 *retary considers reasonable for lodging, subsistence,*
13 *clothing, medical care (including hospitalization), re-*
14 *patriation, and any other support the Secretary con-*
15 *siders to be appropriate.*

16 “(4) *SEAFARER.—The term ‘seafarer’ means an*
17 *alien crewman who is employed or engaged in any*
18 *capacity on board a vessel subject to this Act.’; and*

19 (2) *in section 9, by adding at the end the fol-*
20 *lowing:*

21 “(g) *Any penalty collected under subsection (a) or (b)*
22 *that is not paid under that subsection to the person giving*
23 *information leading to the conviction or assessment of such*
24 *penalties shall be deposited in the Abandoned Seafarers*

1 *Fund established under section 18, subject to the limitation*
 2 *in subsection (a)(2)(B) of such section.”.*

3 **SEC. 311. CLARIFICATION OF HIGH-RISK WATERS.**

4 *Section 55305(e) of title 46, United States Code, is*
 5 *amended—*

6 *(1) in paragraph (1)—*

7 *(A) by striking “provide armed personnel*
 8 *aboard” and inserting “reimburse, subject to the*
 9 *availability of appropriations, the owners or op-*
 10 *erators of”; and*

11 *(B) by inserting “for the cost of providing*
 12 *armed personnel aboard such vessels” before “if”;*
 13 *and*

14 *(2) by striking paragraphs (2) and (3) and in-*
 15 *serting the following:*

16 *“(2) In this subsection, the term ‘high-risk*
 17 *waters’ means waters—*

18 *“(A) so designated by the Commandant of*
 19 *the Coast Guard in the maritime security direc-*
 20 *tive issued by the Commandant and in effect on*
 21 *the date on which an applicable voyage begins;*
 22 *and*

23 *“(B) in which the Secretary of Transpor-*
 24 *tation determines an act of piracy is likely to*
 25 *occur based on documented acts of piracy that*

1 *occurred in such waters during the 12-month pe-*
 2 *riod preceding the date on which an applicable*
 3 *voyage begins.”.*

4 **SEC. 312. UNINSPECTED PASSENGER VESSELS IN THE VIR-**
 5 **GIN ISLANDS.**

6 *(a) IN GENERAL.—Section 4105 of title 46, United*
 7 *States Code, is amended—*

8 *(1) by redesignating subsection (b) as subsection*
 9 *(c); and*

10 *(2) by inserting after subsection (a) the fol-*
 11 *lowing:*

12 *“(b) In applying this title with respect to an*
 13 *uninspected vessel of less than 24 meters overall in length*
 14 *that carries passengers to or from a port in the United*
 15 *States Virgin Islands, the Secretary shall substitute ‘12 pas-*
 16 *sengers’ for ‘6 passengers’ each place it appears in section*
 17 *2101(42) if the Secretary determines that the vessel complies*
 18 *with—*

19 *“(1) the Code of Practice for the Safety of Small*
 20 *Commercial Motor Vessels (commonly referred to as*
 21 *the ‘Yellow Code’), as published by the U.K. Maritime*
 22 *and Coastguard Agency and in effect on January 1,*
 23 *2014; or*

24 *“(2) the Code of Practice for the Safety of Small*
 25 *Commercial Sailing Vessels (commonly referred to as*

8 SEC. 313. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPEC-
9 TION.

13 “(f)(1) Upon request of an owner or operator of an
14 offshore supply vessel, the Secretary shall delegate the au-
15 thorities set forth in paragraph (1) of subsection (b) with
16 respect to such vessel to a classification society to which
17 a delegation is authorized under that paragraph. A delega-
18 tion by the Secretary under this subsection shall be used
19 for any vessel inspection and examination function carried
20 out by the Secretary, including the issuance of certificates
21 of inspection and all other related documents.

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1 *the Secretary may terminate the certificate or document,*
 2 *respectively.*

3 “(3) *Not later than 2 years after the date of the enact-*
 4 *ment of the Howard Coble Coast Guard and Maritime*
 5 *Transportation Act of 2014, and for each year of the subse-*
 6 *quent 2-year period, the Secretary shall provide to the Com-*
 7 *mittee on Transportation and Infrastructure of the House*
 8 *of Representatives and the Committee on Commerce,*
 9 *Science, and Transportation of the Senate a report describ-*
 10 *ing—*

11 “(A) *the number of vessels for which a delegation*
 12 *was made under paragraph (1);*

13 “(B) *any savings in personnel and operational*
 14 *costs incurred by the Coast Guard that resulted from*
 15 *the delegations; and*

16 “(C) *based on measurable marine casualty and*
 17 *other data, any impacts of the delegations on the*
 18 *operational safety of vessels for which the delegations*
 19 *were made, and on the crew on those vessels.”.*

20 **SEC. 314. SURVIVAL CRAFT.**

21 (a) *IN GENERAL.*—Section 3104 of title 46, United
 22 States Code, is amended to read as follows:

23 **“§ 3104. Survival craft**

24 “(a) *REQUIREMENT TO EQUIP.*—The Secretary shall
 25 *require that a passenger vessel be equipped with survival*

1 *craft that ensures that no part of an individual is immersed*
2 *in water, if—*

3 “(1) *such vessel is built or undergoes a major*
4 *conversion after January 1, 2016; and*

5 “(2) *operates in cold waters as determined by the*
6 *Secretary.*

7 “(b) *HIGHER STANDARD OF SAFETY.—The Secretary*
8 *may revise part 117 or part 180 of title 46, Code of Federal*
9 *Regulations, as in effect before January 1, 2016, if such*
10 *revision provides a higher standard of safety than is pro-*
11 *vided by the regulations in effect on or before the date of*
12 *enactment of the Howard Coble Coast Guard and Maritime*
13 *Transportation Act of 2014.*

14 “(c) *INNOVATIVE AND NOVEL DESIGNS.—The Sec-*
15 *retary may, in lieu of the requirements set out in part 117*
16 *or part 180 of title 46, Code of Federal Regulations, as in*
17 *effect on the date of the enactment of the Howard Coble*
18 *Coast Guard and Maritime Transportation Act of 2014,*
19 *allow a passenger vessel to be equipped with a life saving*
20 *appliance or arrangement of an innovative or novel design*
21 *that—*

22 “(1) *ensures no part of an individual is im-*
23 *mersed in water; and*

1 “(2) provides an equal or higher standard of
2 safety than is provided by such requirements as in ef-
3 fect before such date of enactment.

4 “(d) *BUILT DEFINED*.—In this section, the term ‘built’
5 has the meaning that term has under section 4503(e).”.

6 (b) *REVIEW; REVISION OF REGULATIONS*.—

7 (1) *REVIEW*.—Not later than December 31, 2015,
8 the Secretary of the department in which the Coast
9 Guard is operating shall submit to the Committee on
10 Transportation and Infrastructure of the House of
11 Representatives and the Committee on Commerce,
12 Science, and Transportation of the Senate a review
13 of—

14 (A) the number of casualties for individuals
15 with disabilities, children, and the elderly as a
16 result of immersion in water, reported to the
17 Coast Guard over the preceding 30-year period,
18 by vessel type and area of operation;

19 (B) the risks to individuals with disabil-
20 ities, children, and the elderly as a result of im-
21 mersion in water, by passenger vessel type and
22 area of operation;

23 (C) the effect that carriage of survival craft
24 that ensure that no part of an individual is im-
25 mersed in water has on—

1 (i) *passenger vessel safety, including*
2 *stability and safe navigation;*

3 (ii) *improving the survivability of in-*
4 *dividuals, including individuals with dis-*
5 *abilities, children, and the elderly; and*

6 (iii) *the costs, the incremental cost dif-*
7 *ference to vessel operators, and the cost effec-*
8 *tiveness of requiring the carriage of such*
9 *survival craft to address the risks to indi-*
10 *viduals with disabilities, children, and the*
11 *elderly;*

12 (D) *the efficacy of alternative safety sys-*
13 *tems, devices, or measures in improving surviv-*
14 *ability of individuals with disabilities, children,*
15 *and the elderly; and*

16 (E) *the number of small businesses and*
17 *nonprofit vessel operators that would be affected*
18 *by requiring the carriage of such survival craft*
19 *on passenger vessels to address the risks to indi-*
20 *viduals with disabilities, children, and the elder-*
21 *ly.*

22 (2) *REVISION.—Based on the review conducted*
23 *under paragraph (1), the Secretary may revise regu-*
24 *lations concerning the carriage of survival craft pur-*

1 *suant to section 3104(c) of title 46, United States*
 2 *Code.*

3 **SEC. 315. TECHNICAL CORRECTION TO TITLE 46.**

4 *Section 2116(b)(1)(D) of title 46, United States Code,*
 5 *is amended by striking “section 93(c)” and inserting “sec-*
 6 *tion 93(c) of title 14”.*

7 **SEC. 316. ENFORCEMENT.**

8 *(a) IN GENERAL.—*

9 *(1) DETERMINATION OF COVERED PROGRAMS.—*

10 *Section 55305(d) of title 46, United States Code, is*
 11 *amended—*

12 *(A) by amending paragraph (1) to read as*
 13 *follows:*

14 *“(1) The Secretary of Transportation shall an-*
 15 *nually review programs administered by other de-*
 16 *partments and agencies and determine whether each*
 17 *such program is subject to the requirements of this*
 18 *section.”;*

19 *(B) by redesignating paragraph (2) as*
 20 *paragraph (5), and by inserting after paragraph*
 21 *(1) the following:*

22 *“(2) The Secretary shall have the sole responsi-*
 23 *bility to make determinations described in paragraph*
 24 *(1).*

1 “(3) A determination made by the Secretary
2 under paragraph (1) regarding a program shall re-
3 main in effect until the Secretary determines that
4 such program is no longer subject to the requirements
5 of this section.

6 “(4) Each department or agency administering a
7 program determined by the Secretary under para-
8 graph (1) to be subject to the requirements of this sec-
9 tion shall administer such program in accordance
10 with this section and any rules or guidance issued by
11 the Secretary. The issuance of such rules or guidance
12 is not a prerequisite to the issuance of final deter-
13 minations under paragraph (1).”;

14 (C) in paragraph (5)(A), as so redesignated,
15 by striking “section;” and inserting “section, to
16 determine compliance with the requirements of
17 this section;”; and

18 (D) by adding at the end the following:

19 “(6) On the date on which the President submits
20 to Congress a budget pursuant to section 1105 of title
21 31, the Secretary shall submit to the Committee on
22 Transportation and Infrastructure of the House of
23 Representatives and the Committee on Commerce,
24 Science, and Transportation of the Senate a report
25 that—

1 “(A) lists the programs determined under
2 paragraph (1) to be subject to the requirements
3 of this section; and

4 “(B) describes the results of the most recent
5 annual review required by paragraph (5)(A), in-
6 cluding identification of the departments and
7 agencies that transported cargo in violation of
8 this section and any action the Secretary took
9 under paragraph (5) with respect to each viola-
10 tion.”.

11 (2) *DEADLINE FOR FIRST REVIEW.*—The Sec-
12 retary of Transportation shall complete the first re-
13 view and make the determinations required under the
14 amendment made by paragraph (1)(A) by not later
15 than December 31, 2015.

16 (b) *RULEMAKING.*—

17 (1) *AUTHORITY.*—Section 55305(d) of title 46,
18 United States Code, is further amended by adding at
19 the end the following:

20 “(7) The Secretary may prescribe rules, includ-
21 ing interim rules, necessary to carry out paragraph
22 (5). An interim rule prescribed under this paragraph
23 shall remain in effect until superseded by a final
24 rule.”.

1 (2) *CONFORMING AMENDMENT.*—Section 3511(c)
 2 of the *Duncan Hunter National Defense Authoriza-*
 3 *tion Act for Fiscal Year 2009* (46 U.S.C. 55305 note)
 4 is repealed.

5 **SEC. 317. SEVERE MARINE DEBRIS EVENTS.**

6 (a) *NOAA MARINE DEBRIS PROGRAM.*—Section 3 of
 7 the *Marine Debris Act* (33 U.S.C. 1952) is amended—

8 (1) in subsection (c)—

9 (A) in the subsection heading by striking
 10 “AND CONTRACTS” and inserting “CONTRACTS,
 11 AND OTHER AGREEMENTS”;

12 (B) by striking paragraph (1) and inserting
 13 the following:

14 “(1) *IN GENERAL.*—To carry out the purposes set
 15 forth in section 2, the Administrator, acting through
 16 the Program, may—

17 “(A) enter into cooperative agreements, con-
 18 tracts, and other agreements with Federal agen-
 19 cies, States, local governments, regional agencies,
 20 interstate agencies, and other entities, including
 21 agreements to use the personnel, services, equip-
 22 ment, or facilities of such entities on a reimburs-
 23 able or non-reimbursable basis; and

24 “(B) make grants to—

1 “(i) *State, local, and tribal govern-*
2 *ments; and*

3 “(ii) *institutions of higher education,*
4 *nonprofit organizations, and commercial*
5 *organizations with the expertise or responsi-*
6 *bility to identify, determine sources of, as-*
7 *sess, prevent, reduce, and remove marine de-*
8 *bris.”; and*

9 (C) *by striking paragraphs (4), (5), and (6)*
10 *and inserting the following:*

11 “(4) *GRANTS.—*

12 “(A) *ELIGIBILITY.—To be eligible for a*
13 *grant under paragraph (1)(B), an entity speci-*
14 *fied in that paragraph shall submit to the Ad-*
15 *ministrator a marine debris project proposal.*

16 “(B) *REVIEW AND APPROVAL.—The Admin-*
17 *istrator shall—*

18 “(i) *review each marine debris project*
19 *proposal submitted under subparagraph (A)*
20 *to determine if the proposal meets grant cri-*
21 *teria established by the Administrator and*
22 *supports the purposes set forth in section 2;*

23 “(ii) *after considering any written*
24 *comments and recommendations with re-*
25 *spect to the review conducted under clause*

1 *(i), approve or disapprove a grant for the*
2 *proposal; and*

3 *“(iii) provide notification of that ap-*
4 *proval or disapproval to the entity that sub-*
5 *mitted the proposal.*

6 *“(C) REPORTING.—Each entity receiving a*
7 *grant under paragraph (1)(B) shall provide re-*
8 *ports to the Administrator as required by the*
9 *Administrator. Each report provided shall in-*
10 *clude all information determined necessary by*
11 *the Administrator for evaluating the progress*
12 *and success of the project for which the grant*
13 *was provided and describe the impact of the*
14 *grant on the identification, determination of*
15 *sources, assessment, prevention, reduction, or re-*
16 *moval of marine debris.*

17 *“(D) TRAINING.—The Administrator may*
18 *require a recipient of a grant under this sub-*
19 *section to provide training to persons engaged in*
20 *marine debris response efforts funded by such*
21 *grant with respect to the potential impacts of*
22 *marine debris, including nonindigenous species*
23 *related to the debris, on the economy of the*
24 *United States, the marine environment, and*
25 *navigation safety.”; and*

1 (2) *by adding at the end the following:*

2 “(d) *SEVERE MARINE DEBRIS EVENTS.*—

3 “(1) *GRANT PREFERENCE.*—*In evaluating pro-*
4 *posals for grants under subsection (c), the Adminis-*
5 *trator may give preference in approving grants to*
6 *proposals that address a severe marine debris event.*

7 “(2) *REQUEST FOR A DECLARATION.*—

8 “(A) *IN GENERAL.*—*For purposes of para-*
9 *graph (1), the Governor of a State may request*
10 *that the Administrator declare a severe marine*
11 *debris event in such State or a region that in-*
12 *cludes such State.*

13 “(B) *RESPONSE TO REQUESTS.*—*Not later*
14 *than 30 days after the Administrator receives a*
15 *request under subparagraph (A), the Adminis-*
16 *trator shall either—*

17 “(i) *declare a severe marine debris*
18 *event with respect to the request; or*

19 “(ii) *submit a response to the Governor*
20 *who submitted the request, explaining why*
21 *the Administrator has not declared a severe*
22 *marine debris event with respect to the re-*
23 *quest.”.*

24 (b) *DEFINITIONS.*—*Section 7 of the Marine Debris Act*
25 *(33 U.S.C. 1956) is amended—*

1 (1) *by moving paragraph (5) to appear before*
 2 *paragraph (6);*

3 (2) *by redesignating paragraphs (5), (6), and (7)*
 4 *as paragraphs (6), (7), and (8), respectively; and*

5 (3) *by inserting after paragraph (4) the fol-*
 6 *lowing:*

7 “(5) *NONINDIGENOUS SPECIES.*—*The term ‘non-*
 8 *indigenous species’ has the meaning given that term*
 9 *in section 1003 of the Nonindigenous Aquatic Nui-*
 10 *sance Prevention and Control Act of 1990 (16 U.S.C.*
 11 *4702).’.*”

12 (c) *SEVERE MARINE DEBRIS EVENT DETERMINA-*
 13 *TION.*—

14 (1) *AUTHORITY TO PROVIDE FUNDS.*—

15 (A) *IN GENERAL.*—*The Administrator of the*
 16 *National Oceanic and Atmospheric Administra-*
 17 *tion may provide funds to an eligible entity im-*
 18 *pacted by the covered severe marine debris event*
 19 *to assist such entity with the costs of any activ-*
 20 *ity carried out to address the effects of such*
 21 *event.*

22 (B) *FUNDING.*—*The Administrator may*
 23 *provide funds under subparagraph (A) using*
 24 *any funds provided by the Government of Japan*

1 *for activities to address the effects of the covered*
 2 *severe marine debris event.*

3 (C) *DEFINITIONS.—In this subsection, the*
 4 *following definitions apply:*

5 (i) *COVERED SEVERE MARINE DEBRIS*
 6 *EVENT.—The term “covered severe marine*
 7 *debris event” means the events, including*
 8 *marine debris, resulting from the March*
 9 *2011 Tohoku earthquake and subsequent*
 10 *tsunami.*

11 (ii) *ELIGIBLE ENTITY.—The term “eli-*
 12 *gible entity” means any State (as defined*
 13 *in section 7 of the Marine Debris Act (33*
 14 *U.S.C. 1956)), local, or tribal government.*

15 (2) *REPEAL.—The Coast Guard and Maritime*
 16 *Transportation Act of 2012 (Public Law 112–213) is*
 17 *amended—*

18 (A) *in the table of contents in section 1(b)*
 19 *by striking the item relating to section 609; and*

20 (B) *by striking section 609.*

21 **SEC. 318. MINIMUM TONNAGE.**

22 *Section 55305 of title 46, United States Code, is*
 23 *amended by adding at the end the following:*

24 “(f) *MINIMUM TONNAGE.—With respect to commod-*
 25 *ities transported under the activities specified in section*

1 55314(b), the percentage specified in subsection (b) of this
 2 section shall be treated as 75 percent.”.

3 **SEC. 319. MERCHANT MARINE PERSONNEL ADVISORY COM-**
 4 **MITTEE.**

5 (a) *ESTABLISHMENT OF ADVISORY COMMITTEE.*—

6 (1) *ESTABLISHMENT.*—Chapter 81 of title 46,
 7 United States Code, is amended by adding at the end
 8 the following:

9 **“§8108. Merchant Marine Personnel Advisory Com-**
 10 **mittee**

11 “(a) *ESTABLISHMENT.*—The Secretary shall establish
 12 a Merchant Marine Personnel Advisory Committee (in this
 13 section referred to as ‘the Committee’). The Committee—

14 “(1) shall act solely in an advisory capacity to
 15 the Secretary through the Commandant of the Coast
 16 Guard on matters relating to personnel in the United
 17 States merchant marine, including training, quali-
 18 fications, certification, documentation, and fitness
 19 standards, and other matters as assigned by the Com-
 20 mandant;

21 “(2) shall review and comment on proposed
 22 Coast Guard regulations and policies relating to per-
 23 sonnel in the United States merchant marine, includ-
 24 ing training, qualifications, certification, documenta-
 25 tion, and fitness standards;

1 “(3) may be given special assignments by the
 2 Secretary and may conduct studies, inquiries, work-
 3 shops, and fact finding in consultation with individ-
 4 uals and groups in the private sector and with State
 5 or local governments;

6 “(4) shall advise, consult with, and make rec-
 7 ommendations reflecting its independent judgment to
 8 the Secretary;

9 “(5) shall meet not less than twice each year;
 10 and

11 “(6) may make available to the Congress rec-
 12 ommendations that the Committee makes to the Sec-
 13 retary.

14 “(b) MEMBERSHIP.—

15 “(1) IN GENERAL.—The Committee shall consist
 16 of not more than 19 members who are appointed by
 17 and serve terms of a duration determined by the Sec-
 18 retary. Before filling a position on the Committee, the
 19 Secretary shall publish a notice in the Federal Reg-
 20 ister soliciting nominations for membership on the
 21 Committee.

22 “(2) REQUIRED MEMBERS.—The Secretary shall
 23 appoint as members of the Committee—

24 “(A) 9 United States citizens with active li-
 25 censes or certificates issued under chapter 71 or

1 *merchant mariner documents issued under chap-*
2 *ter 73, including—*

3 *“(i) 3 deck officers who represent the*
4 *viewpoint of merchant marine deck officers,*
5 *of whom—*

6 *“(I) 2 shall be licensed for oceans*
7 *any gross tons;*

8 *“(II) 1 shall be licensed for inland*
9 *river route with a limited or unlimited*
10 *tonnage;*

11 *“(III) 2 shall have a master’s li-*
12 *cense or a master of towing vessels li-*
13 *cense;*

14 *“(IV) 1 shall have significant*
15 *tanker experience; and*

16 *“(V) to the extent practicable—*

17 *“(aa) 1 shall represent the*
18 *viewpoint of labor; and*

19 *“(bb) another shall represent*
20 *a management perspective;*

21 *“(ii) 3 engineering officers who rep-*
22 *resent the viewpoint of merchant marine en-*
23 *gineering officers, of whom—*

24 *“(I) 2 shall be licensed as chief*
25 *engineer any horsepower;*

1 “(II) 1 shall be licensed as either
2 a limited chief engineer or a des-
3 ignated duty engineer; and

4 “(III) to the extent practicable—

5 “(aa) 1 shall represent a
6 labor viewpoint; and

7 “(bb) another shall represent
8 a management perspective;

9 “(iii) 2 unlicensed seamen, of whom—

10 “(I) 1 shall represent the view-
11 point of able-bodied seamen; and

12 “(II) another shall represent the
13 viewpoint of qualified members of the
14 engine department; and

15 “(iv) 1 pilot who represents the view-
16 point of merchant marine pilots;

17 “(B) 6 marine educators, including—

18 “(i) 3 marine educators who represent
19 the viewpoint of maritime academies, in-
20 cluding—

21 “(I) 2 who represent the viewpoint
22 of State maritime academies and are
23 jointly recommended by such State
24 maritime academies; and

1 “(II) 1 who represents either the
2 viewpoint of the State maritime acad-
3 emies or the United States Merchant
4 Marine Academy; and

5 “(ii) 3 marine educators who represent
6 the viewpoint of other maritime training
7 institutions, 1 of whom shall represent the
8 viewpoint of the small vessel industry;

9 “(C) 2 individuals who represent the view-
10 point of shipping companies employed in ship
11 operation management; and

12 “(D) 2 members who are appointed from
13 the general public.

14 “(c) CHAIRMAN AND VICE CHAIRMAN.—The Com-
15 mittee shall elect one of its members as the Chairman and
16 one of its members as the Vice Chairman. The Vice Chair-
17 man shall act as Chairman in the absence or incapacity
18 of the Chairman, or in the event of a vacancy in the office
19 of the Chairman.

20 “(d) SUBCOMMITTEES.—The Committee may establish
21 and disestablish subcommittees and working groups for any
22 purpose consistent with this section, subject to conditions
23 imposed by the Committee. Members of the Committee and
24 additional persons drawn from the general public may be
25 assigned to such subcommittees and working groups. Only

1 *Committee members may chair subcommittee or working*
 2 *groups.*

3 “(e) *TERMINATION.*—*The Committee shall terminate*
 4 *on September 30, 2020.*”.

5 (2) *CLERICAL AMENDMENT.*—*The analysis at the*
 6 *beginning of such chapter is amended by adding at*
 7 *the end the following:*

“8108. *Merchant Marine Personnel Advisory Committee.*”.

8 (b) *COMPETITIVENESS OF THE U.S. MERCHANT MA-*
 9 *RINE.*—

10 (1) *REQUIREMENT.*—*Not later than 1 year after*
 11 *the date of enactment of this Act, the Merchant Ma-*
 12 *rine Personnel Advisory Committee established under*
 13 *the amendment made by subsection (a) shall—*

14 (A) *review—*

15 (i) *the merchant mariner licensing,*
 16 *certification, and documentation programs*
 17 *and STCW Convention implementation*
 18 *programs of the 3 flag-states; and*

19 (ii) *State maritime academy problems*
 20 *regarding implementation of the STCW*
 21 *Convention; and*

22 (B) *report to the Commandant of the Coast*
 23 *Guard—*

24 (i) *a description of each specific provi-*
 25 *sion for which United States merchant mar-*

1 *iner license, certification, and document*
2 *and STCW Convention implementation re-*
3 *quirements are more stringent than the re-*
4 *quirements of such flag-state programs, and*
5 *a recommendation of whether such United*
6 *States provision should be retained, modi-*
7 *fied, or eliminated;*

8 *(ii) a description of which United*
9 *States merchant mariner license, certifi-*
10 *cation, and document evaluation require-*
11 *ments must be complied with separately*
12 *from similar STCW Convention evaluation*
13 *requirements, any statutory requirement for*
14 *such separate compliance, and steps that*
15 *can be taken by the Coast Guard or by the*
16 *Congress to minimize such redundant re-*
17 *quirements; and*

18 *(iii) a description of problems State*
19 *maritime academies are having in imple-*
20 *menting the STCW Convention and rec-*
21 *ommendations on how to address such prob-*
22 *lems.*

23 *(3) REPORT TO CONGRESS.—Within 6 months*
24 *from the date the Commandant receives the report*
25 *under paragraph (1)(B), the Commandant shall for-*

ward to the Congress a copy of the report with recommendations for actions to implement the report's recommendations.

(4) *DEFINITIONS.*—In this subsection:

(A) *3 FLAG STATES.*—The term “3 flag states” means the 3 countries that are parties to the Annex to the International Maritime Organization Maritime Safety Committee Circular MSC.1/Circ.1163/Rev.8 dated January 7, 2013, and, of all such countries, have the greatest vessel tonnage documented under the laws of each respective country.

(B) *STCW CONVENTION.*—The term “STCW Convention” means the amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 that entered into force on January 1, 2012.

SEC. 320. REPORT ON EFFECT OF LNG EXPORT CARRIAGE REQUIREMENTS ON JOB CREATION IN THE UNITED STATES MARITIME INDUSTRY.

No later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the

1 *Senate a report on the number of jobs, including vessel con-*
 2 *struction and vessel operating jobs, that would be created*
 3 *in the United States maritime industry each year in 2015*
 4 *through 2025 if liquified natural gas exported from the*
 5 *United States were required to be carried—*

6 *(1) before December 31, 2018, on vessels docu-*
 7 *mented under the laws of the United States; and*

8 *(2) after such date, on vessels documented under*
 9 *the laws of the United States and constructed in the*
 10 *United States.*

11 ***TITLE IV—FEDERAL MARITIME*** 12 ***COMMISSION***

13 ***SEC. 401. AUTHORIZATION OF APPROPRIATIONS.***

14 *There is authorized to be appropriated to the Federal*
 15 *Maritime Commission \$24,700,000 for each of fiscal years*
 16 *2015 and 2016.*

17 ***SEC. 402. TERMS OF COMMISSIONERS.***

18 *(a) IN GENERAL.—Section 301(b) of title 46, United*
 19 *States Code, is amended—*

20 *(1) by amending paragraph (2) to read as fol-*
 21 *lows:*

22 *“(2) TERMS.—The term of each Commissioner is*
 23 *5 years. When the term of a Commissioner ends, the*
 24 *Commissioner may continue to serve until a successor*
 25 *is appointed and qualified, but for a period not to ex-*

1 *ceed one year. Except as provided in paragraph (3),*
 2 *no individual may serve more than 2 terms.”; and*

3 *(2) by redesignating paragraph (3) as para-*
 4 *graph (5), and inserting after paragraph (2) the fol-*
 5 *lowing:*

6 *“(3) VACANCIES.—A vacancy shall be filled in*
 7 *the same manner as the original appointment. An in-*
 8 *dividual appointed to fill a vacancy is appointed*
 9 *only for the unexpired term of the individual being*
 10 *succeeded. An individual appointed to fill a vacancy*
 11 *may serve 2 terms in addition to the remainder of the*
 12 *term for which the predecessor of that individual was*
 13 *appointed.*

14 *“(4) CONFLICTS OF INTEREST.—*

15 *“(A) LIMITATION ON RELATIONSHIPS WITH*
 16 *REGULATED ENTITIES.—A Commissioner may*
 17 *not have a pecuniary interest in, hold an official*
 18 *relation to, or own stocks or bonds of any entity*
 19 *the Commission regulates under chapter 401 of*
 20 *this title.*

21 *“(B) LIMITATION ON OTHER ACTIVITIES.—*
 22 *A Commissioner may not engage in another*
 23 *business, vocation, or employment.”.*

24 *(b) APPLICABILITY.—The amendment made by sub-*
 25 *section (a)(1) does not apply with respect to a Commis-*

1 sioner of the Federal Maritime Commission appointed and
 2 confirmed by the Senate before the date of enactment of this
 3 Act.

4 ***TITLE V—COMMERCIAL VESSEL*** 5 ***DISCHARGE REFORM***

6 ***SEC. 501. SHORT TITLE.***

7 *This title may be cited as the “Commercial Vessel Dis-*
 8 *charge Reform Act of 2014”.*

9 ***SEC. 502. DISCHARGES INCIDENTAL TO THE NORMAL OPER-*** 10 ***ATION OF CERTAIN VESSELS.***

11 *Section 2(a) of Public Law 110–299 (33 U.S.C. 1342*
 12 *note) is amended by striking “during the period beginning*
 13 *on the date of the enactment of this Act and ending on De-*
 14 *cember 18, 2014,”.*

15 ***TITLE VI—MISCELLANEOUS***

16 ***SEC. 601. DISTANT WATER TUNA FLEET.***

17 *Section 421 of the Coast Guard and Maritime Trans-*
 18 *portation Act of 2006 (Public Law 109–241; 120 Stat. 547)*
 19 *is amended—*

20 *(1) in subsection (b)—*

21 *(A) by amending paragraph (1) to read as*
 22 *follows:*

23 *“(1) IN GENERAL.—Subsection (a) only applies*
 24 *to a foreign citizen who holds a credential to serve as*

1 *an officer on a fishing vessel or vessel of similar ton-*
 2 *nage.”; and*

3 *(B) in paragraph (2), by striking “An*
 4 *equivalent credential” and inserting “A creden-*
 5 *tial”; and*

6 *(2) by striking subsections (c), (e), and (f) and*
 7 *redesignating subsection (d) as subsection (c).*

8 **SEC. 602. VESSEL DETERMINATION.**

9 *The vessel assigned United States official number*
 10 *1205366 is deemed a new vessel effective on the date of deliv-*
 11 *ery of the vessel after January 1, 2012, from a privately*
 12 *owned United States shipyard, if no encumbrances are on*
 13 *record with the Coast Guard at the time of the issuance*
 14 *of the new certificate of documentation for the vessel.*

15 **SEC. 603. LEASE AUTHORITY.**

16 *(a) AUTHORITY.—The Commandant of the Coast*
 17 *Guard may lease under section 93(a)(13) of title 14, United*
 18 *States Code, submerged lands and tidelands under the con-*
 19 *trol of the Coast Guard without regard to the limitation*
 20 *under that section with respect to lease duration.*

21 *(b) LIMITATION.—The Commandant may lease sub-*
 22 *merged lands and tidelands under subsection (a) only if—*

23 *(1) lease payments are—*

24 *(A) received exclusively in the form of cash;*

1 (B) equal to the fair market value of the
 2 leased submerged lands or tidelands, as deter-
 3 mined by the Commandant; and

4 (C) deposited in the fund established under
 5 section 687 of title 14, United States Code; and

6 (2) the lease does not provide authority to or
 7 commit the Coast Guard to use or support any im-
 8 provements to such submerged lands or tidelands, or
 9 obtain goods or services from the lessee.

10 **SEC. 604. NATIONAL MARITIME STRATEGY.**

11 (a) *IN GENERAL.*—Not later than 60 days after the
 12 date of enactment of this Act, the Secretary of Transpor-
 13 tation, in consultation with the Secretary of the department
 14 in which the Coast Guard is operating, shall submit to the
 15 Committee on Transportation and Infrastructure of the
 16 House of Representatives and the Committee on Commerce,
 17 Science, and Transportation of the Senate a national mari-
 18 time strategy.

19 (b) *CONTENTS.*—The strategy required under sub-
 20 section (a) shall—

21 (1) identify—

22 (A) Federal regulations and policies that re-
 23 duce the competitiveness of United States flag
 24 vessels in the international trade; and

1 (B) the impact of reduced cargo flow due to
 2 reductions in the number of members of the
 3 United States Armed Forces stationed or de-
 4 ployed outside of the United States; and

5 (2) include recommendations to—

6 (A) make United States flag vessels more
 7 competitive in shipping routes between United
 8 States and foreign ports;

9 (B) increase the use of United States flag
 10 vessels to carry cargo imported to and exported
 11 from the United States;

12 (C) assure compliance by Federal agencies
 13 with chapter 553 of title 46, United States Code;

14 (D) increase the use of third-party inspec-
 15 tion and certification authorities to inspect and
 16 certify vessels;

17 (E) increase the use of short sea transpor-
 18 tation routes designated under section 55601(c)
 19 of title 46, United States Code, to enhance inter-
 20 modal freight movements; and

21 (F) enhance United States shipbuilding ca-
 22 pability.

23 **SEC. 605. IMO POLAR CODE NEGOTIATIONS.**

24 Not later than 30 days after the date of the enactment
 25 of this Act, and thereafter with the submission of the budget

1 *proposal submitted for each of fiscal years 2016, 2017, and*
2 *2018 under section 1105 of title 31, United States Code,*
3 *the Secretary of the department in which the Coast Guard*
4 *is operating shall submit to the Committee on Transpor-*
5 *tation and Infrastructure of the House of Representatives*
6 *and the Committee on Commerce, Science, and Transpor-*
7 *tation of the Senate, a report on—*

8 *(1) the status of the negotiations at the Inter-*
9 *national Maritime Organization regarding the estab-*
10 *lishment of a draft international code of safety for*
11 *ships operating in polar waters, popularly known as*
12 *the Polar Code, and any amendments proposed by*
13 *such a code to be made to the International Conven-*
14 *tion for the Safety of Life at Sea and the Inter-*
15 *national Convention for the Prevention of Pollution*
16 *from Ships;*

17 *(2) the coming into effect of such a code and such*
18 *amendments for nations that are parties to those con-*
19 *ventions;*

20 *(3) impacts, for coastal communities located in*
21 *the Arctic (as that term is defined in the section 112*
22 *of the Arctic Research and Policy Act of 1984 (15*
23 *U.S.C. 4111)) of such a code or such amendments,*
24 *on—*

1 (A) the costs of delivering fuel and freight;
2 and

3 (B) the safety of maritime transportation;
4 and

5 (4) actions the Secretary must take to implement
6 the requirements of such a code and such amend-
7 ments.

8 **SEC. 606. VALLEY VIEW FERRY.**

9 (a) *EXEMPTION.*—Section 8902 of title 46, United
10 States Code, shall not apply to the vessel John Craig
11 (United States official number D1110613) when such vessel
12 is operating on the portion of the Kentucky River, Ken-
13 tucky, located at approximately mile point 158, in Pool
14 Number 9, between Lock and Dam Number 9 and Lock and
15 Dam Number 10.

16 (b) *APPLICATION.*—Subsection (a) shall apply on and
17 after the date on which the Secretary determines that a li-
18 censing requirement has been established under Kentucky
19 State law that applies to an operator of the vessel John
20 Craig.

21 **SEC. 607. COMPETITION BY UNITED STATES FLAG VESSELS.**

22 (a) *IN GENERAL.*—The Commandant of the Coast
23 Guard shall enter into an arrangement with the National
24 Academy of Sciences to conduct an assessment of authorities
25 under subtitle II of title 46, United States Code, that have

1 *been delegated to the Coast Guard that impact the ability*
 2 *of vessels documented under the laws of the United States*
 3 *to effectively compete in the carriage of merchandise and*
 4 *passengers in the international trade.*

5 (b) *REVIEW OF DIFFERENCES WITH IMO STAND-*
 6 *ARDS.—The assessment under subsection (a) shall include*
 7 *a review of differences between United States laws, policies,*
 8 *regulations, and guidance governing the inspection of ves-*
 9 *sels documented under the laws of the United States and*
 10 *standards set by the International Maritime Organization*
 11 *governing the inspection of vessels.*

12 (c) *DEADLINE.—Not later than 180 days after the date*
 13 *on which the Commandant enters into an arrangement with*
 14 *the National Academy of Sciences under subsection (a), the*
 15 *Commandant shall submit the assessment required under*
 16 *such subsection to the Committee on Transportation and*
 17 *Infrastructure of the House of Representatives and the Com-*
 18 *mittee on Commerce, Science, and Transportation of the*
 19 *Senate.*

20 **SEC. 608. SURVEY.**

21 *Not later than 30 days after the date of enactment of*
 22 *this Act, the Commandant of the Coast Guard shall submit*
 23 *to the Committee on Transportation and Infrastructure of*
 24 *the House of Representatives and the Committee on Com-*
 25 *merce, Science, and Transportation of the Senate a survey*

1 *of the parcel of real property under the administrative con-*
2 *trol of the Coast Guard, consisting of approximately 1.95*
3 *acres (measured at the mean low-water mark) located at*
4 *the entrance to Gig Harbor, Washington, and commonly*
5 *known as the Gig Harbor Sand Spit Area.*

6 **SEC. 609. FISHING SAFETY GRANT PROGRAMS.**

7 (a) *FISHING SAFETY TRAINING GRANT PROGRAM.—*
8 *Section 4502(i)(4) of title 46, United States Code, is*
9 *amended by striking “2010 through 2014” and inserting*
10 *“2015 and 2016”.*

11 (b) *FISHING SAFETY RESEARCH GRANT PROGRAM.—*
12 *Section 4502(j)(4) of title 46, United States Code, is amend-*
13 *ed by striking “2010 through 2014” and inserting “2015*
14 *and 2016”.*

Union Calendar No. 286

113TH CONGRESS
2^D Session

H. R. 4005

[Report No. 113-384]

A BILL

To authorize appropriations for the Coast Guard
for fiscal years 2015 and 2016, and for other
purposes.

MARCH 25, 2014

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the Union,
and ordered to be printed